

FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

Atlanta Division

JUN 27 2005

LUTHER D. THOMAS, Clerk  
By:

*Mary L. Metzler*  
Deputy Clerk

**MARY L. METZLER,**

**Plaintiff,**

**CIVIL ACTION FILE**

**NUMBER: 1:03-CV-2625-BBM**

**v.**

**GENERAL MOTORS,  
CORPORATION, JEROME  
HUNTER, BARRY WOODS  
and GORDON ZIMMER,**

**Defendants.**

---

**PLAINTIFF'S STIPULATION OF DISMISSAL**

**COMES NOW** Plaintiff Mary L. Metzler, by and through undersigned counsel, and files, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, this Stipulation of Dismissal, which is signed by all parties who have appeared in this action, and does hereby voluntarily dismiss its above-caption claim against Defendants as follows;

1. Count One of Plaintiff's Complaint for Federal Gender Discrimination under 42 U.S.C. § 1981, et seq, is hereby dismissed **WITH PREJUDICE**.

2. Count Two of Plaintiff's Complaint for Breach of Employment Contract is hereby dismissed **WITHOUT PREJUDICE**.
3. Count Three of Plaintiff's Complaint for Wrongful Termination is hereby dismissed **WITHOUT PREJUDICE**.
4. Count Four of Plaintiff's Complaint for Intention Infliction of Emotional Distress is hereby dismissed **WITH PREJUDICE**.
5. Counts Five and Six of Plaintiff's Complaint for Punitive Damages and Attorney's Fees are hereby dismissed **WITHOUT PREJUDICE** to the extent that they are based on the Claims herein dismissed without prejudice

**WHEREFORE** Plaintiff Mary L. Metzler hereby voluntarily dismisses her Complaint against Defendants pursuant to the terms outlined in this Stipulation of Dismissal which is signed by all parties who have appeared in this action.

Respectfully submitted this 25<sup>th</sup> day of June, 2005.

Kenneth W. Sheppard  
KENNETH W. SHEPPARD, P.C.  
17931 Georgia Highway 67 S # 2101  
Statesboro, Georgia 30458  
Tel (912) 681-9142  
Fax (912) 681-7542

Kenneth W. Sheppard  
Kenneth W. Sheppard  
Georgia Bar No. 641958  
Attorney for Plaintiff

Entered as Clerk of Court pursuant to Rule 41(c)  
Rule 41(c) of the Georgia Rules of Court

By: Lori D. Morris, Clerk  
Deputy Clerk

Signed by all Defendants:

David C. Vogel  
LATHROP & GAGE L.C.  
2345 Grand Boulevard; Suite 2800  
Kansas City, Missouri 64108-2684  
Tel (816) 292-2000  
Fax (816) 292-2001



---

David C. Vogel  
Admitted pro hac vice on Oct. 24, 2003  
Attorney for Defendants

and

Diane D. Suber  
Georgia Bar Number 690724  
McGuire Woods LLP  
The Proscenium  
1170 Peachtree Street, Suite 2100  
Atlanta, Georgia 30309  
Tel (404) 443-5500  
Fax (404) 443-5599

FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
Atlanta Division

JUN 27 2005  
LUTHER D. THOMAS, Clerk  
By: *[Signature]*  
Deputy Clerk

MARY L. METZLER,

Plaintiff,

CIVIL ACTION FILE  
NUMBER: 1:03-CV-2625-BBM

v.

GENERAL MOTORS,  
CORPORATION, JEROME  
HUNTER, BARRY WOODS  
and GORDON ZIMMER,

Defendants.

**CERTIFICATE OF SERVICE**

The undersigned attorney states that he served the foregoing **PLAINTIFF'S STIPULATION OF DISMISSAL** and upon all counsel by placing a copy of same in the United States Mail with adequate postage affixed thereto and addressed as follows:

Entered as filed and pursuant to  
Rule 41 (a) (3) (C), C.R.C.P.

Luther D. Thomas, Clerk  
By: *[Signature]*  
Deputy Clerk

David C. Vogel  
Lathrop & Gage L.C.  
2345 Grand Boulevard; Suite 2800  
Kansas City, Missouri 64108-2684

Respectfully submitted this ~~25~~<sup>25<sup>th</sup> day of June, 2005.</sup>

KENNETH W. SHEPPARD, P.C.  
17931 Georgia Highway 67 S # 2101  
Statesboro, Georgia 30458  
Tel (912) 681-9142  
Fax (912) 681-7542

KW Sheppard  
Kenneth W. Sheppard  
Georgia Bar No. 641958  
Attorney for Plaintiff